



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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Alexandria, Virginia 22313-1450  
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/783,160	02/19/2004	Steven P. Pulaski	18438/09003

Charles E. Dunlap  
P.O. Box 11070  
Columbia, SC 29211-1070



CONFIRMATION NO. 1872

## FORMALITIES LETTER



\*OC000000013488221\*

Date Mailed: 08/10/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

01/11/2005 BABRAHA1 00000108 10783160

01 FC:1051

130.00 DP

RECEIVED

AUG 12 2004

NELSON MULLINS  
COLUMBIA OFFICEA copy of this notice **MUST** be returned with the reply.

EV 327051145 US

"Docketed for"

100C04

FSC

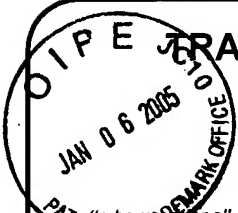
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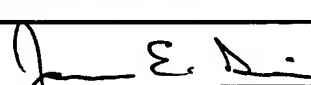
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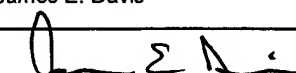
Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

		Application Number	10/783,160	
		Filing Date	February 19, 2004	
		First Named Inventor	Steven P. Pulaski	
		Art Unit	1623	
		Examiner Name	Unknown	
Total Number of Pages in This Submission		17	Attorney Docket Number	01122/1/US 027507/USA (6794-000164/US/CPA)

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Copy of Notice to File Missing Parts of Provisional Application; Response to Notice to File Missing Parts; Return Receipt Postcard
<div style="border: 1px solid black; padding: 5px;">Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm	Harness, Dickey & Pierce, P.L.C.		
Signature			
Printed Name	James E. Davis		
Date	January 6, 2005	Reg. No.	47,516

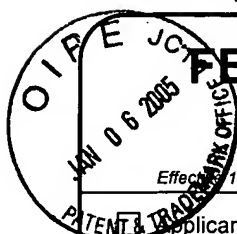
CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	James E. Davis	Express Mail Label No.	EV 327051145 US
Signature		Date	January 6, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

EV 327051145 US

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



# **FREE TRANSMITTAL** **for FY 2005**

Effective 10/01/2004. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 1150

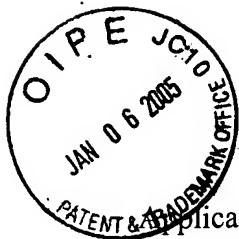
Complete if Known	
Application Number	10/783,160
Filing Date	February 19, 2004
First Named Inventor	Steven P. Pulaski
Examiner Name	Unknown
Art Unit	1623
Attorney Docket No.	01122/1/US 027507/USA (6794-000164/US/CPA)

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)																																																																																																																																																																															
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input type="checkbox"/> Deposit Account: Deposit Account Number: 08-0750 Deposit Account Name: Harness, Dickey & Pierce, P.L.C. The Director is authorized to: (check all that apply) <input type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) or any underpayment of fees under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.		<b>3. ADDITIONAL FEES</b> <table border="1"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td>1051</td> <td>130</td> <td>Surcharge - late filing fee or oath</td> <td>130</td> </tr> <tr> <td></td> <td></td> <td>1052</td> <td>50</td> <td>Surcharge - late provisional filing fee or cover sheet.</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1053</td> <td>130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1812</td> <td>2,520</td> <td>For filing a request for <i>ex parte</i> reexamination</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1804</td> <td>920*</td> <td>Requesting publication of SIR prior to Examiner action</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1805</td> <td>1,840*</td> <td>Requesting publication of SIR after Examiner action</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1251</td> <td>120</td> <td>Extension for reply within first month</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1252</td> <td>450</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1253</td> <td>1020</td> <td>Extension for reply within third month</td> <td>1020</td> </tr> <tr> <td></td> <td></td> <td>1254</td> <td>1590</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1255</td> <td>2160</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1401</td> <td>500</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1402</td> <td>500</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1403</td> <td>1000</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1451</td> <td>1,510</td> <td>Petition to institute a public use proceeding</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1452</td> <td>500</td> <td>Petition to revive - unavoidable</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1453</td> <td>1500</td> <td>Petition to revive - unintentional</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1501</td> <td>1400</td> <td>Utility issue fee (or reissue)</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1502</td> <td>800</td> <td>Design issue fee</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1503</td> <td>1100</td> <td>Plant issue fee</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1460</td> <td>130</td> <td>Petitions to the Commissioner</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1807</td> <td>50</td> <td>Processing fee under 37 CFR 1.17 (q)</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1806</td> <td>180</td> <td>Submission of Information Disclosure Stmt</td> <td></td> </tr> <tr> <td></td> <td></td> <td>8021</td> <td>40</td> <td>Recording each patent assignment per property (times number of properties)</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1809</td> <td>790</td> <td>Filing a submission after final rejection (37 CFR § 1.129(a))</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1810</td> <td>790</td> <td>For each additional invention to be examined (37 CFR § 1.129(b))</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1801</td> <td>790</td> <td>Request for Continued Examination (RCE)</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1802</td> <td>900</td> <td>Request for expedited examination of a design application</td> <td></td> </tr> </tbody> </table>		Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid			1051	130	Surcharge - late filing fee or oath	130			1052	50	Surcharge - late provisional filing fee or cover sheet.				1053	130	Non-English specification				1812	2,520	For filing a request for <i>ex parte</i> reexamination				1804	920*	Requesting publication of SIR prior to Examiner action				1805	1,840*	Requesting publication of SIR after Examiner action				1251	120	Extension for reply within first month				1252	450	Extension for reply within second month				1253	1020	Extension for reply within third month	1020			1254	1590	Extension for reply within fourth month				1255	2160	Extension for reply within fifth month				1401	500	Notice of Appeal				1402	500	Filing a brief in support of an appeal				1403	1000	Request for oral hearing				1451	1,510	Petition to institute a public use proceeding				1452	500	Petition to revive - unavoidable				1453	1500	Petition to revive - unintentional				1501	1400	Utility issue fee (or reissue)				1502	800	Design issue fee				1503	1100	Plant issue fee				1460	130	Petitions to the Commissioner				1807	50	Processing fee under 37 CFR 1.17 (q)				1806	180	Submission of Information Disclosure Stmt				8021	40	Recording each patent assignment per property (times number of properties)				1809	790	Filing a submission after final rejection (37 CFR § 1.129(a))				1810	790	For each additional invention to be examined (37 CFR § 1.129(b))				1801	790	Request for Continued Examination (RCE)				1802	900	Request for expedited examination of a design application	
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Total Claims: -20 ** = 0 X Fee from below = 0 Independent Claims: -3 ** = 0 X Fee from below = 0 Multiple Dependent: X Fee from below = 0		Other fee (specify) _____ *Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$) 1150																																																																																																																																																																															

\*\*or number previously paid, if greater; For Reissues, see above

SUBMITTED BY		Complete (if applicable)			
Name (Print/Type)	James E. Davis	Registration No. (Attorney/Agent)	47,516	Telephone	314-446-7683
Signature		Date	January 6, 2005		

EV 327051145 US



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Steven P. Pulaski, et al.  
Serial No: 10/783,160  
Filed: February 19, 2004  
Title: METHOD AND COMPOSITIONS FOR THE TREATMENT AND  
PREVENTION OF PAIN AND INFLAMMATION  
Confirmation No: 1872  
Group Art Unit: 1623  
Examiner: Unknown  
Attorney Ref: 01122/1/US  
Pfizer Ref: 027507/USA  
HDP Ref: 6794-000164/US/CPA

January 6, 2005

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir/Madam:

This is in response to the August 10, 2004 Notice to File Missing Parts of Nonprovisional Application in the above-referenced patent application. Applicants have enclosed the following:

1. Transmittal (1 page);
2. Fee Transmittal (1 page);
3. Petition for Extension of Time (1 page);
4. Notice to File Missing Parts of Nonprovisional Application (2 pages);
5. Declaration and Power of Attorney (8 pages);
6. Power of Attorney to Prosecute Applications before the USPTO (1 page);
7. Change of Correspondence Address (1 page); and
8. Check for \$1150.00.

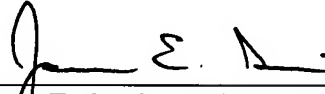
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EV 327051145 US

Patent Application Serial No. 10/783,160  
Response to Notice to File Missing Parts  
January 6, 2005

Applicants have enclosed a check for \$1150.00 to cover the extension fee and the late oath or declaration surcharge. Applicants believe that they do not owe any additional fees for this filing. However, if Applicants owe any additional fee(s) in connection with this filing, the Commissioner is hereby authorized to charge those fee(s) to Deposit Account No. **08-0750**. In addition, if there is ever any other fee deficiency or overpayment under 37 C.F.R. §1.16 or 1.17 in connection with this patent application, the Commissioner is hereby authorized to charge such deficiency or overpayment to Deposit Account No. **08-0750**.

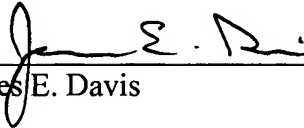
Respectfully submitted,



James E. Davis, PTO Reg. No. 47,516  
Harness, Dickey & Pierce, P.L.C.  
7700 Bonhomme, Suite 400  
St. Louis, Missouri 63105  
(314) 726-7500 (tel)  
(314) 726-7501 (fax)

**CERTIFICATE OF MAILING UNDER 37 CFR §1.8**

I hereby certify that this correspondence is being deposited with the U.S. Postal Service on **January 6, 2005**, with sufficient postage as first class mail (including Express Mail per MPEP § 512), and addressed to: **Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450**.



James E. Davis

JED/PML